

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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THE ANNUITY, WELFARE, APPRENTICESHIP SKILL
IMPROVEMENT & SAFETY FUNDS of the
INTERNATIONAL UNION OF OPERATING ENGINEERS,
LOCAL 15, 15A, 15C and 15D, AFL-CIO by its TRUSTEES
JAMES T. CALLAHAN, LYNN A. MOUREY,
ROBERT SHAW and RUSSELL SHAW, and JOHN and
JANE DOE, as Beneficiaries of the ANNUITY, WELFARE,
APPRENTICESHIP SKILL IMPROVEMENT & SAFETY
FUNDS of the INTERNATIONAL UNION OF OPERATING
ENGINEERS, LOCAL 15, 15A, 15C and 15D, AFL-CIO,

CLERK'S CERTIFICATE

07-CIV-9906 (TPG)

Plaintiffs,

-against-

MODERN CONTINENTAL CONSTRUCTION CO., INC.,

Defendant.
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I, J. MICHAEL McMAHON, Clerk of the United States District Court for the Southern District of New York, do hereby certify that this action was commenced on November 9, 2007 by the filing of the Summons and Complaint, and a copy of the Summons and Complaint was personally served on Defendant MODERN CONTINENTAL CONSTRUCTION CO., INC. on December 4, 2007, by, a process server, personal service upon Brian Conlan, the managing agent for Defendant MODERN CONTINENTAL CONSTRUCTION CO., INC., and proof of service was filed on December 14, 2007 through the ECF System.

I further certify that the docket entries indicate that the Defendant has not filed an answer nor otherwise moved with respect to the Complaint herein. The default of the Defendant is hereby noted.

Dated: New York, New York

~~January~~ 5 2008
FEB

J. MICHAEL McMAHON
Clerk of the Court

By: 

Deputy Clerk